

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William Graves Confirmation No.: 9858  
 Appln. No. : 10/564,717 Art Unit : 3775  
 Filed : December 8, 2006 Examiner : Lawson, Matthew James  
 Title : BONE RESECTION DEVICE

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents with the U.S. Patent and Trademark Office on: February 17, 2010

Name (print/type)	Brian S. Tomko		
Signature	/Brian S. Tomko/	Date	February 17, 2010

To: Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 17, 2009 finally rejecting claims 1-5 and 7-251 of the above-identified application.

The item(s) checked below are appropriate:

1.  An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2.  A Petition For Extension Of Time under 37 CFR 1.136 will be paid by the USPTO fee portion of the e-filing system.
3.  A timely response to the final rejection has been filed.
4.  Fee \$540.00: for filing of Notice of Appeal

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

- Not required (fee paid in prior appeal)
- Charge to Deposit Account No. 10-0750. Two additional copies of this Notice are enclosed herewith.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750.

Respectfully submitted,

/Brian S. Tomko/

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Brian S. Tomko  
 Reg. No. 41,349  
 Attorney for Applicant(s)

One Johnson & Johnson Plaza  
 New Brunswick, NJ 08933-7003  
 (732) 524-1239  
 Date: February 17, 2010